S.B.CRIMINAL MISC. BAIL APPLICATION NO.4746/2007

(Surender Kumar & Ors. vs. State of Rajasthan)

DATE OF ORDER : October 04, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.S.S.Dhillon, for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor for State.

Learned counsel for the petitioners submits that he does not want to press the bail application filed by petitioner No.4 Amarjeet alias Jeet under section 438 Cr.P.C.

The bail application filed by petitioner No.4 Amarjeet alias Jeet under section 438 Cr.P.C. is, therefore, dismissed as not pressed.

However, on perusal of the order impugned and police investigation diary, it appears that no specific overt act has been assigned to petitioners No.1, 2 and 3. This fact has not been disputed by the learned Public Prosecutor on perusal of the investigation diary.

Having heard learned counsel for the parties and looking to the facts and circumstances of the case and the fact that no specific overt act has been assigned to petitioners No.1,2 and 3, I consider it just and proper to grant anticipatory bail to petitioners No.1, 2 and 3.

Accordingly, the bail application filed by petitioners No.1, 2

and 3 under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioners No.1 Surender Kumar s/o Amar Singh, No.2 Begraj s/o Taru Ram and No.3 Chotu Ram s/o Billa Ram in FIR No.483/2007, P.S., Sangaria, they shall be released on bail for a period till the police concludes the investigation and files the challan provided each of them furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount each to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

The petitioners shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-